

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on September 29, 2003, the following members were present:

Bob Rowe, Chairman  
Thomas J. Schneider, Vice Chairman  
Matt Brainard, Commissioner  
Greg Jergeson, Commissioner  
Jay Stovall, Commissioner

APPEARANCE

Scott Fabel  
Utility Division

- (388) In the matter of Qwest Communications, Docket No. N2003.9.134; On September 15, 2003, Qwest filed tariff transmittal 03-24, ISDN Single Line Service (SLS) Promotion. During the proposed promotional period from October 20, 2003, through December 31, 2003, customers subscribing to ISDN SLS under a one, two, three, or five-year rate stability agreement would receive a \$100 credit for all new lines. Existing customers on month-to-month service would receive a \$50 credit by migrating to one of the stability agreements. In addition nonrecurring charges would be waived on all new lines for month-to month and one, two, three, or five-year rate stability agreements. This promotion is only available where it is technically feasible to provide service and where facilities are available.

Commissioner Stovall moved to approve Qwest's promotion. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE

Nickie Eck  
Transportation Division

- (389) In the matter of the approval of the Commission Minutes; Commissioner Brainard moved to approve the Commission Minutes for the week of September 22, 2003. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson

- (390) In the matter of the Commission's discussion of the FCC Triennial Review, Docket No. D2003.4.46 and D2003.5.62; Commissioner Rowe moved to grant the attorney/firms applications to appear and to waive the two appearance restrictions based on the good cause exception. Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE

Mike Morris

- (391) In the matter of the Commission's discussion of Lincoln Telephone Company, Inc. EAS Petition, Docket No. D2003.6.84; Commissioner Rowe moved to proceed to Phase II as there is a determination of community interest that exists for the Lincoln and Canyon Creek exchange. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE

Will Rosquist

(392) In the matter of the Commission's discussion of Notice of Proposed Rulemaking implementing minimum filing requirements for applications for advanced approval of power purchase agreements pursuant to Senate Bill 247; Commissioner Rowe moved to open a new rulemaking docket and to submit the notice of proposed rules to the Secretary of State's Office for publication subject to any requests by commissioners or staff for further editing at the work session Monday, October 6, if needed, including consultant fee materials. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh

(393) In the matter of the Commission's discussion of NWE Electric Default Tracker, Docket No. D2003.6.77; Commissioner Rowe moved to grant the petition for late intervention from Northwest Power and Conservation Council. Commissioner Jergeson seconded the motion, which passed 4-1. Commissioner Brainard voted to dissent.

Commissioner Jergeson moved to deny NWE's motion to vacate the procedural order but for staff to work with NWE and other parties to modify the current schedule consistent with interests of the parties and the Commission. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan

(394) In the matter of the Commission's discussion of Northwestern Energy, Petition by Large Customer Group, Consumer Counsel and Energy Share, Segregation of USB funds, Docket No. D2003.8.114; Commissioner Stovall moved to direct staff to file objections to the motion to continue the programs and to enforce the automatic stay and nondiscriminatory provisions of the bankruptcy code. Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson

(395) In the matter of the Commission's discussion of numerous NWE dockets, management requests related to bankruptcy work load and determination;

- Docket No. D2003.2.21 - Commissioner Rowe moved to deny NWE motion for an adjustment to the procedural order. Commissioner Jergeson seconded the motion, which passed unanimously.

- Docket No. D2003.7.97 - Commissioner Rowe moved to deny NWE motion to suspend procedural order. Commissioner Jergeson seconded the motion, which passed unanimously.

- Docket No. D2003.7.86 - Commissioner Brainard moved to deny NWE motion to suspend annual QF avoided cost. Commissioner Rowe seconded the motion, which passed unanimously.

- Docket No. D2002.6.63 - Commissioner Rowe moved to deny NWE motion to suspend QF-1 proceeding. Commissioner Brainard seconded the motion, which passed unanimously.

- Docket No. D2003.6.66 - (NW 2003-04 gas tracker). Commissioner Rowe moved to accommodate a new procedural schedule and keep the matter going forward. Commissioner Jergeson seconded the motion,

which passed unanimously.

- Docket No. D2002.7.81 - NWE Green Power Docket - Commissioner Jergeson moved to deny the motion to vacate the docket. Commissioner Stovall seconded the motion, which passed unanimously.

- Docket No. D2003.8.106 - Commissioner Stovall moved to deny the motion. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE

David Burchett

(396) In the matter of the Commission's discussion of Mountain Water Company, Docket No. D2003.8.122; Commissioner Rowe moved to grant the adjustment to water rates to reflect changes in cost of purchased power. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Eric Eck

(397) In the matter of the Commission's discussion of Energy West, Docket No. D2003.9.129; Commissioner Jergeson moved to approve the default order granting Energy West's request for additional line of credit with the conditions contained in the draft order. Commissioner Schneider seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator  
Utility Division

(398) In the matter of the Commission's discussion of staff out-of-state travel; Commissioner Rowe moved to approve the out-of-state travel for Marla Larson and Leroy Beeby. Commissioner Brainard seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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BOB ROWE, Chairman

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THOMAS J. SCHNEIDER, Vice Chairman

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MATT BRAINARD, Commissioner

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GREG JERGESON, Commissioner

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JAY STOVALL, Commissioner

ATTEST:

Connie Jones  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on October 1, 2003, the following members were present:

Bob Rowe, Chairman  
Thomas J. Schneider, Vice Chairman  
Matt Brainard, Commissioner  
Greg Jergeson, Commissioner  
Jay Stovall, Commissioner

APPEARANCE

Robin McHugh, Al Brogan

(399) In the matter of the Commission's discussion of Investigation of NWE's Financial and Related Transactions, Docket No. D2003.8.109; Commissioner Rowe moved to 1. file in opposition to the application of the automatic stay to this docket (and in opposition to any future stay motion under Section 105) 2. to issue a notice a.) modifying the discovery and b.) convening parties to discuss scheduling issues. Commissioner Schneider seconded the motion, which passed unanimously.

(400) In the matter of the Commission's discussion of NWE's bankruptcy; Commissioner Schneider moved to close the work session to discuss litigation strategy in the bankruptcy. Commissioner Stovall seconded the motion, which passed unanimously.

Commissioner Jergeson moved to submit to the Legal Services Review Committee a request for approval of outside legal counsel. Commissioner Schneider seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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BOB ROWE, Chairman

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THOMAS J. SCHNEIDER, Vice Chairman

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MATT BRAINARD, Commissioner

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GREG JERGESON, Commissioner

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JAY STOVALL, Commissioner

ATTEST:  
Connie Jones  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on October 2, 2003, the following members were present:

Bob Rowe, Chairman  
Thomas J. Schneider, Vice Chairman  
Matt Brainard, Commissioner  
Greg Jergeson, Commissioner  
Jay Stovall, Commissioner

APPEARANCE

Martin Jacobson, Will Rosquist

(401) In the matter of the Commission's discussion of FERC Eros-1223-000, Montana Megawatts I; Commissioner Schneider moved to intervene in this docket jointly with Consumer Counsel. Commissioner Jergeson seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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BOB ROWE, Chairman

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THOMAS J. SCHNEIDER, Vice Chairman

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MATT BRAINARD, Commissioner

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GREG JERGESON, Commissioner

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JAY STOVALL, Commissioner

ATTEST:

Connie Jones  
Commission Secretary

(SEAL)